Remarks

Claims 1-19 and 21-26 are pending.

In response to the rejection under 35 USC §101, claims 1 and 26 have been amended to recite the use of at least one processor, coupled to at least one database, in the claimed system (claim 1) and method (claim 26). Support for the "processor" may be found, e.g., at p. 18, line 3; support for the database may be found, for example, at p. 7, lines 11 and 13 and p. 8, line 4.

In response to the rejections under 35 USC §112, second paragraph, Applicant has corrected claim 26 as suggested by the Examiner, by adding "synthetic" before "credit products" in step (a) of the claim. Also, Applicant has corrected the antecedent basis problems raised by the Examiner relating to "the determined portfolio capacity" in part (b) of claims 1 and 26, and the "Pricing Creation module" in claim 2.

Relying on *In re Mayhew*, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976), the Examiner has rejected claims 1 and 26 under 35 USC §112, first paragraph, on the ground that further details describing "absorbing credit products at a minimum level of default risk" are essential to practice the invention and should be included in the claim. Applicant respectfully disagrees. The *Mayhew* case dealt with a specification that expressly stated that certain limitations were necessary to practice the invention. No such limiting statement appears in Applicant's disclosure. In contrast to *Mayhew* and as pointed out by the Examiner, there are multiple, different ways for determining the capacity of a defined financial market to absorb defined synthetic credit products at a minimum level of default risk in the context of the present claims. Since multiple, alternative methods exist for performing this function, it is clear that no single specific

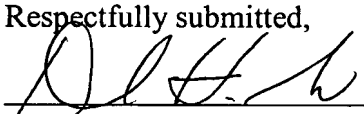
method for performing this function is essential to the claims. Simply put, reconsideration of the rejection of claims 1 and 26 under 35 USC §112, first paragraph, is respectfully requested, because multiple methods exist for determining the capacity of a defined financial market to "absorb" defined synthetic credit products, and, as a result, no single method for performing this function could be essential to the claims.

Conclusion

In view of the above, it is submitted that all pending claims are in condition for allowance. A Notice of Allowance is earnestly solicited.

The Commissioner is hereby authorized to charge any deficiency in the fees due in connection with this filing Deposit Account 50-0310. A duplicate of this authorization is enclosed.

Respectfully submitted,



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